

**IN THE DISTRICT COURT OF THE UNITED
STATES FOR THE MIDDLE DISTRICT OF
ALABAMA, EASTERN DIVISION, AT
MONTGOMERY, ALABAMA**

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DEBORA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

GENE COGGINS
Plaintiff

V:

CIVIL ACTION NO 3:07 CV- 0402 - MEF - TFM

CITY OF JAOCKSON'S GAP and
JACKSON'S GAP POLICE DEPARTMENT
Defendants

MOTION FOR DEFAULT AND DEFAULT JUDGMENT

COMES NOW THE PLAINTIFF, GENE COGGINS, WITH THIS MOTION FOR DEFAULT AND DEFAULT JUDGMENT AGAINST THE ABOVE DEFENDANTS, DONE AND ACCORDING TO FED. R. CIVIL P. 4. THIS SUMMONS WAS SENT BY CERTIFIED MAIL WITH RETURN RECEIPT TO THE CLERKS OFFICE ON JUNE 13, 2007, REQUIRED AN ANSWER TO BE FILED IN THE COURT AND A COPY TO BE SENT TO THE PLAINTIFF WITHIN 20 DAYS FROM SERVICE.. MORE THAN ENOUGH TIME HAS PASSED AND AS OF THIS DATE THIS HAS NOT BEEN DONE. THE LAW REQUIRES FOR A DEFAULT AND DEFAULT JUDGMENT TO BE FILED AGAINST YOU AND ALL THINGS REQUESTED IN THE COMPLAINT ARE TO BE GRANTED. THIS IS A REQUIRED ESTABLISHED LAW THAT MUST BE CARRIED OUT BY THE CLERKS OFFICE, NO JUDGE HAS THE AUTHORITY TO CHANGE AN

ESTABLISHED LAW , OR TO PLACE ANY RESTRICTIONS UPON THEM...

IN A CIVIL ACTION OR SPECIAL PROCEEDINGS, THE CLERK OR
SOME OTHER FORM OF SERVICE AS NAMED, IS REQUIRED TO NOTIFY THE
DEFENDANT AS NAMES APPEAR ON THE COMPLAINT THAT AN ACTION HAS
BEEN COMMENCED AGAINST HIM IN THIS COURT THAT HE IS REQUIRED TO
APPEAR ON DAY NAMED, WITH A WRITTEN ANSWER, THAT MUST BE FILED
WITH THE CLERK, AS REQUIRED BY THIS ACTION.. Dell 56 Misc. 2d, 1017, 290, N.
Y. S. 2d 287, 289.. Fed R. Civil P. 4 (a)..

ACCORDING TO ESTABLISHED RULES REGULATING JUDICIAL
PROCEEDINGS, THESE RULES **FORBIDS ANY FORM OF CONDEMNATION,**
WITHOUT A HEARING. Pettit V: Penn, La. App. 180, So. 2d, 66, 69.. AND THE
CONCEPT OF "THE DUE PROCESS", AS FOUND IN THE 5th AMENDMENT OF THE
UNITED STATES CONSTITUTION. THEREFORE ACCORDING TO THIS CONCEPT,
EVERY CASE THAT I HAVE PRESENTED IN THIS COURT HAS BEEN ILLEGAL
HANDLED. THIS MOTION FOR DEFAULT AND DEFAULT JUDGMENT MUST BE
GRANTED AS REQUIRED.

Gene Coggins
GENE COGGINS